

CEP/FS

ORIGINAL

Decision No. 90742

AUG 28 1979

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investi-)
gation for the purpose of)
considering and determining)
minimum rates for transportation)
of any and all commodities state-)
wide including, but not limited)
to, those rates which are pro-)
vided in Minimum Rate Tariff 2)
revisions or reissues thereof.)

Case No. 5432

And Related Matters)

Case No. 5439

Case No. 5441

ORDER OF PARTIAL SUSPENSION

Various common carriers engaged in intrastate transportation within California participate in the National Motor Freight Classification NMF 100-F, hereinafter referred to as the Governing Classification, for class ratings and other provisions. Also, various Commission minimum rate tariffs are subject to the class ratings and/or other provisions of such classification.

Notice of the proposed adoption of Supplement 4 to the Governing Classification, to become effective concurrent with the nationwide effective date of July 21, 1979, appeared on the Commission's Daily Calendar of June 30, 1979. No objection to its adoption having been received, the Commission, on July 17, 1979, in Special Tariff Docket 9440, granted authority to the National Motor Freight Traffic Association Inc., Agent, to amend the Governing Classification by incorporating therein Supplement 4.

The Interstate Commerce Commission by order dated July 18, 1979, issued an Investigation and Suspension in Docket No. M-30073 (Sub No. 2) suspending certain of the tariff schedules in Supplement 4 to and including February 20, 1980. During this period, the I.C.C. will investigate the lawfulness of the suspended tariff schedules.

C. 5432, et al. - FS

A suspension supplement, Supplement 8, to the Governing Classification was issued August 10, 1979, by James C. Harkins, Issuing Officer, listing the items numbers, description of the suspended matter and the provisions to apply during the period of suspension.

As a policy, this Commission has maintained the Governing Classification for both interstate and intrastate traffic, under the Commission's minimum rate tariffs, in a parallel program with the I.C.C.

In the circumstances, the Commission finds that there is good cause appearing to suspend the tariff schedules in Supplement 4 to the Governing Classification which are subject to the I.C.C. investigation by the adoption of Supplement 8.

Because the items in question have been suspended for interstate traffic and there is immediate need likewise to suspend the items for intrastate traffic and avoid hardship for California shippers, the order which follows will be made effective immediately.

IT IS ORDERED that:


1. Supplement 8 to the National Motor Freight Classification NMF 100-F, National Motor Freight Traffic Association, Inc., Agent, James C. Harkins, Issuing Officer, is hereby adopted for California intrastate tariff.

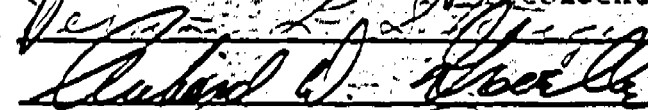
2. The Executive Director of the Commission shall cause service by mail of this order to be made on the National Motor Freight Traffic Association, Inc., James C. Harkins, Issuing Officer, 1616 P Street N.W., Washington, DC 20036.

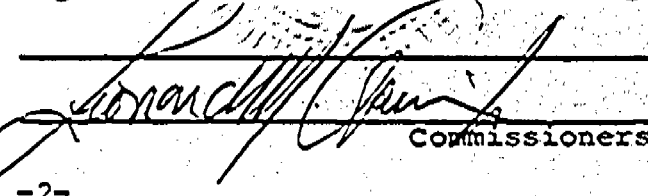
The effective date of this order is the date hereof.

Dated AUG 28 1979, at San Francisco, California.

Commissioner Claire T. Dodrick, being necessarily absent, did not participate in the disposition of this proceeding.



President




Commissioners